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**RRR000761**

January 8, 2008

Ms. Jane R. Summerson  
Mr. M. Lee Bishop  
**Environmental Impact Statement Office**  
**U.S. Department of Energy**  
Office of Civilian Radioactive Waste Management  
1551 Hillshire Drive  
Las Vegas, NV 89134

Re: Comments on draft Repository Supplemental Environmental Impact Statement and  
draft Nevada Rail Corridor/Alignment Environmental Impact Statement.

Ms. Summerson and Mr. Bishop:

In preparing my response to the U.S. Department of Energy's (DOE) draft Repository Supplemental Environmental Impact Statement (SEIS) and draft Nevada Rail Corridor/Alignment Environmental Impact Statement, I have identified several issues regarding both documents that should be addressed by the DOE in the course of developing both Final Environmental Impact Statements (EIS).

1 [Perhaps my most compelling argument, however, is that I am the child of a Downwinder. My father, Bruce Arden Johnson, died in 1994 of Multiple Myeloma, a form of painful bone marrow cancer which developed from radiation exposure as a result of bomb testing in the desert of Southern Utah in the 1950s. I have seen first-hand how irresponsibly-handled nuclear testing and nuclear waste has impacted families and destroyed lives in our country.

As a resident of Washington State, our own Hanford Nuclear Plant stands as one of the greatest cautionary tales of a mismanaged nuclear waste in our nation's history. Its reputation as a nuclear waste cesspool is richly deserved. It is not something I want to see happen to another state.

Motivated both on a civic level and, obviously, on a very personal one, I am writing to urge you to see that using the Yucca Mountain site to 'dispose' of nuclear waste is a dangerous and unacceptable choice as a nuclear waste repository. Geological fault lines run through and near the Yucca Mountain area making the mountain too unstable to be used as a site for nuclear storage especially with the unpredictable weather and geological changes that are anticipated to occur in the area.]

2 [Furthermore, Yucca Mountain has been and continues to be a sacred and beloved site for thousands of years to local Native American tribes. The Timbisha tribe and other Western Shoshone tribes have conducted spring renewal ceremonies on Yucca Mountain for generations and continue to do so into the present on the western portion they are still able to access.

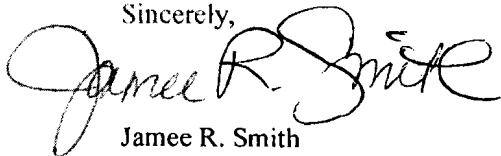
The SEIS also fails to mention the ongoing dispute and litigation involving the United States' violation of the 1863 Treaty of Ruby Valley with the Western Shoshone which clearly defines territorial borders for their nation of Newe Sogobia as well outside the proposed land withdrawal. This treaty was fully ratified by Congress and is widely recognized, in legal terms, as the law of the land. In April of 2004, the United Nations' Committee to End Racial Discrimination upheld the Shoshone claim in a landmark decision and their declaration clearly identifies the Yucca Mountain Repository as one of several ongoing, serious human rights violations by the United States against the Western Shoshone Nation.]

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con't. [There are grievous risks associated with the 'disposing' and transportation of nuclear waste. One of the most deadly waste materials on earth, nuclear waste should be stored on-site, in retrievable casks. It is difficult enough to effectively contain the waste in this manner but transporting it across the country creates an even greater risk of spillage and contamination to an even greater percentage of the population.

**A nuclear waste repository at Yucca Mountain creates a false sense of security for using nuclear energy as "clean" energy. Our time, effort and money would be better spent focusing on developing alternative, sustainable and renewable energy sources.**

Overall, research shows that storing nuclear waste in this area is neither safe nor ethical. Therefore, I staunchly oppose this project. Yucca Mountain is unacceptable as a nuclear waste repository. The citizens of Nevada have a right **not** have to live with the risk of a nuclear spill incident that could threaten their health and safety. We need to create a better solution to our energy problems than simply dumping them on Nevada.]

Sincerely,



Jamee R. Smith

CC: Senator Harry Reid  
528 Hart Senate Office Bldg  
Washington, DC 20510